

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

Plaintiff,

v.

PEPSICO SALES, INC., a Delaware
corporation,

Defendant.

NO. 2:22-cv-00638-JHC

STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE

THE PARTIES above named, through their attorneys Russell J. Reid of Reid, McCarthy, Ballew & Leahy, L.L.P., attorneys for Plaintiff, and Molly Gabel of Seyfarth Shaw LLP, attorneys for Defendant, Pepsico Sales, Inc., hereby stipulate that the above-referenced action should be dismissed, with prejudice, and with each party bearing its own attorneys' fees and costs. This Stipulation and Order shall not foreclose Plaintiff or the Trust, based on res judicata principles or other legal principles, from collecting additional contributions, liquidated damages, interest and attorneys' fees for the time period encompassed by this action, December 2021, if a future audit or some other source reveals that Defendant owes the Plaintiff additional

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ATTORNEYS AT LAW
100 WEST HARRISON STREET • NORTH TOWER, SUITE 300
SEATTLE, WASHINGTON 98119
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1 said period, or from collecting contributions, liquidated damages, interest, attorney's
2 fees and costs for any period other than December 2021.

3 DATED this 3rd day of June, 2022.

5 REID, MCCARTHY, BALLEW & LEAHY,
6 L.L.P.

SEYFARTH SHAW LLP

7 By: 
8 Russell J. Reid, WSBA #2560
9 100 West Harrison Street, N. Tower, #300
10 Seattle WA 98119
11 Telephone: (206) 285-0464
12 Email: rjr@rmbllaw.com
13 Attorney for Plaintiff

By: 
Molly Gabel, WSBA #47023
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Telephone: (206) 946-4910
Email: mgabel@seyfarth.com
Attorney for Defendant

ORDER OF DISMISSAL

14 Based on the foregoing Stipulation of Plaintiff and Defendant,

15 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this action shall
16 be and is hereby dismissed with prejudice and that each party shall bear its own
17 attorneys' fees and costs of suit. This Order shall not foreclose Plaintiff or the Trust,
18 based on res judicata principles or other legal principles, from collecting additional
19 contributions, liquidated damages, interest and attorneys fees for the time period
20 encompassed by this action, December 2021, if a future audit or some other source
21 reveals that Defendant owes the Plaintiff additional amounts for said period, or from
22 collecting contributions, liquidated damages, interest, attorney's fees and costs for any
23 period other than December 2021.
24

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ORDER ENTERED this 15th day of June, 2022.



Hon. John H. Chun

UNITED STATES DISTRICT COURT JUDGE

Submitted for Entry:

REID, McCARTHY, BALLEW & LEAHY, L.L.P.

By: 

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Attorney for Plaintiff

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